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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/807,727	03/24/2004	John M. Tremaine SR.	396-103	3694
21091	7590	05/04/2005	EXAMINER	
JOHN H CROZIER 1934 HUNTINGTON TURNPIKE TRUMBULL, CT 06611			VU, JIMMY T	
			ART UNIT	PAPER NUMBER
			2821	

DATE MAILED: 05/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 10/807,727	Applicant(s) TREMAINE, JOHN M.	
	Examiner Jimmy T. Vu	Art Unit 2821	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 January 2005.
 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 3-5 and 7-15 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) ☐ Claim(s) _____ is/are allowed.
 6) ☒ Claim(s) 3-5, 7-10 and 13 is/are rejected.
 7) ☒ Claim(s) 11, 12, 14 and 15 is/are objected to.
 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3/24/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Despite applicant's argument in the amendment filed on 01/27/2005, claims 3-5 and 7-15 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 3, 5, 7, 9, 10 and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Christofferson (U.S. Patent number 5,477,113).

Regarding claims 10 and 13, Christofferson discloses a transformer system and method for use with either a dimmer switch or an on/off switch (Figs. 1-3) comprising:

a transformer (20); and said transformer being arranged such that an output voltage of said transformer across a load, when a dimmer switch (40) is connected to said transformer, is approximately equal to that when an on/off switch (32,34) is connected to said transformer, to offset a diminution in voltage because of said dimmer switch being connected to said transformer (Abstract; Figs. 1-3; col. 2, lines 40-65; col. 3, lines 1-60).

Regarding claims 3 and 7, Christofferson discloses a transformer system and method for use with either a dimmer switch or an on/off switch wherein said transformer is a toroidal transformer (Abstract; Figs. 1-3; col. 1, lines 40-52).

Regarding claims 5 and 9, Christofferson discloses a transformer system and method for use with either a dimmer switch or an on/off switch wherein said transformer is inherently an electronic transformer.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Christofferson (U.S. Patent number 5,477,113) in view of Gries (U.S. Patent number 4,345,188).

Regarding claims 4 and 8, Christofferson does not teach a transformer system and method for use with either a dimmer switch or an on/off switch wherein said transformer is a laminated transformer. However, as evidenced by Gries, providing the laminated transformer (Figs. 1 and 2, col. 3, lines 36-40) is well known in the art. Therefore, it would have been obvious to an ordinary skill in the art at the time of the invention was made to provide Christofferson with the laminated transformer as taught

by Gries in order to arrange the transformer system by connecting the transformer with the dimmer switch or the on/off switch for control the output voltage to the load.

Allowable Subject Matter

5. Claims 11, 12, 14 and 15 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

None of the prior art teaches the transformer system and method for use with either the dimmer switch or an on/off switch wherein the transformer having the primary with the neutral connected to the primary and with the line connected to the primary, the transformer having the secondary with the common connected to the load and the third tap connected to the secondary, the fourth tap connected to the secondary intermediate common and the third tap; when the dimmer switch is connected between the line and the primary, the third tap is connected to the load; and when the on/off switch is connected between the line and the primary, the fourth tap is connected to the load.

Information Disclosure Statement

6. The references listed on the information disclosure statement submitted on 03/24/2004 have been considered.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jimmy T Vu whose telephone number is (571) 272-1832. The examiner can normally be reached on M - F: 9 - 6:00.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don Wong can be reached on (571) 272-1834. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306.

Art Unit: 2821

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2800.

Jimmy Vu

April 22, 2005


Don Wong
Supervisory Patent Examiner
Technology Center 2800